

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re Orly Genger,

Debtor.

Chapter 7

Case No. 19-13895-JLG

DECLARATION OF MICHAEL PAUL BOWEN

MICHAEL PAUL BOWEN, an attorney duly admitted to practice law before this Court, hereby makes the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a member of Kasowitz Benson Torres LLP (“KBT”), and submit this declaration in support of KBT’s opposition to creditor Sagi Genger’s motion to disqualify KBT as special counsel, dated September 25, 2019 (ECF No. 42).

2. Attached hereto as Exhibit 1 is a true and correct copy of the Affirmation of Evangelos Michailidis, with exhibits, in Support of Defendant Sagi Genger’s Motion for Leave to Amend His Answer, filed in *Orly Genger v. Sagi Genger*, Index. No. 100697/2008 (N.Y. Sup. Ct., N.Y. Cnty.) (the “Fraud Action”), dated March 12, 2013.

3. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt of Sagi Genger’s testimony from the Fraud Action trial, dated March 12, 2015.

4. Attached hereto as Exhibit 3 is a true and correct copy of the Inter-Creditor Agreement, by and among the Orly Genger 1993 Trust, through its trustee, Michael Oldner, Recovery Effort Inc., Sagi Genger, TPR Investment Associates, Inc., Manhattan Safety Company Ltd., Manhattan Safety Maine, Inc., and Emmet, Marvin & Martin LLP, dated as of June 16, 2019.

5. Attached hereto as Exhibit 4 is a true and correct copy of a compilation of emails between KBT and counsel for Manhattan Safety Maine, Inc., dated July 5 through August 31, 2019 and a joint letter to the court attaching the Proposed Case Management Plan in the action *Manhattan Safety Maine, Inc., et al. v. Michael Bowen, et al.*, Case No. 1:19-cv-5642-LGS (the “Manhattan Safety Action”), dated September 3, 2019.

6. Attached hereto as Exhibit 5 is a true and correct copy of the First Amended Complaint in the Manhattan Safety Action, dated November 8, 2019.

7. Attached hereto as Exhibit 6 is a true and correct copy of a draft letter from J. Dellaportas to Judge Freeman in the action *Genger v. Genger*, 17-cv-08181-KBF (S.D.N.Y.), dated July 15, 2019.

8. Attached hereto as Exhibit 7 are true and correct copies of three engagement letters between KBT and Orly Genger, dated January 23, 2015.

9. Attached hereto as Exhibit 8 is a true and correct copy of the wire transfer confirmation showing the \$2 million wire from Eric Herschmann to KBT, dated December 29, 2016.

10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts of Sagi Genger’s testimony from the damages inquest in the action *Genger v. Genger*, Index No. 109749/2009 (N.Y. Sup. Ct., N.Y. Cnty.) (the “Fiduciary Action”), dated August 4, 2016.

11. Attached hereto as Exhibit 10 is a true and correct copy of the Settlement Agreement and Release by and between Arie Genger and Orly Genger (in her individual capacity and in her capacity as beneficiary of the Orly Genger 1993 Trust), Arnold Broser, David Broser, TR Investors, LLC, Glencova Investment Co., New TR Equity I, LLC, New TR Equity II, LLC,

Trans-Resources LLC, Jules Trump, Eddie Trump, and Mark Hirsch, entered into as of June 16, 2013.

12. Attached hereto as Exhibit 11 is a true and correct copy of an excerpt from Arie Genger's 2013 U.S. Individual Income Tax Return.

13. Attached hereto as Exhibit 12 is a true and correct copy of excerpts of Dalia Genger's testimony in the Fiduciary Action damages inquest, dated August 9, 2016.

14. Attached hereto as Exhibit 13 is a true and correct copy of the Declaration of Yovel Nachmani, and supporting exhibits, dated October 16, 2019.

I, Michael Paul Bowen, declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
December 16, 2019

/s/ Michael Paul Bowen
Michael Paul Bowen